

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY
COUNTY, VIRGINIA HELD ON THE 25TH DAY OF FEBRUARY, 2002 AT 7:15 P.M. IN
COURTROOM B, COUNTY COURTHOUSE, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Mary W. Biggs	-Chairman
	Larry N. Rush	-Vice Chairman
	Annette S. Perkins	-Supervisors
	James D. Politis	
	C. P. Shorter	
	Gary D. Creed	
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Bobby Parker	-Public Information Officer
	T. C. Powers, Jr.	-Planning Director
	Steve Sandy	-Zoning Administrator
	Judy W. Kiser	-Assistant to the County Administrator
ABSENT:	John A. Muffo	-Supervisor
	Jeffrey D. Johnson	-County Administrator

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Chairman called the meeting to order and the Pledge of Allegiance was recited.

PUBLIC HEARINGS

Rezoning Request

-Billy D. Massie (Agent: Kendall O. Clay) request to rezone 1.752 acres from General Business (GB) to Planned Mobile Home Residential Park (PMR) with possible proffered conditions, to allow expansion of the existing Massie's Mobile Home Park. The property is located on the north side of Peppers Ferry Road east of the Coal Hollow Road Intersection and is identified as Tax Parcel Nos. 64-A-171, 172 (Acct ID #'s 005101, 017988) in the Riner Magisterial District. The property currently lies in an area designated as Rural Expansion in the Comprehensive Plan.

The Chair announced that Mr. Massie is revising his request to include a special use permit. The Planning Commission continued their public hearing on this request to March 13th. The Board of Supervisors needs to continue this public hearing until March 25th. The Chair invited those who were here to speak at the public hearing to do so.

Ronnie L. Sheppard said he is concerned about some old Sheppard burial grounds on this property, and asked the Board to determine if there is a law to address the issue.

By consensus of the Board, this hearing was continued to March 25, 2002.

Rezoning Request and Special Use Permit Request

-Brush Mountain Estates, LLC (Agent: Draper Aden Associates) request to rezone 9.58 acres from Agriculture (A-1) to Community Business (CB) with possible proffered conditions, and a Special Use Permit to allow mini storage warehouses. The property is located on the north side of Pandapas Pond Road (US Route 460) west of the Brush Mountain Road (SR 778) intersection and is identified as Tax Parcel No. 15-8-1 (Acct ID #036238) in the Mount Tabor Magisterial District. The property currently lies in an area designated as Rural in the Comprehensive Plan.

The Chair announced receipt of a letter from the applicant withdrawing this request. At this time the Board had the option to accept the applicant's request to withdraw, list it on the agenda for the Board's consideration at the next meeting, or add it to this agenda for the Board's action. Supervisor Perkins said she would make a motion to add it to this agenda for the Board's consideration under New Business.

The Chair invited those who were here to speak at the public hearing to do so.

Randall Hancock (Draper Aden Associates) agent for the applicant, apologized for the lateness of the applicant's request to withdraw. He explained that the applicant withdrew his request due to the opposition to the rezoning and special use permit.

Nancy Scott spoke in opposition to the request. She has lived in the area for eleven years and is concerned about the potential impact this rezoning and special use permit would have on the wells. She is also worried about the cross overs on US Route 460 that VDoT would require. She had pictures of the property she shared with the Board.

Howard Price, Kathy Sevebeck, Ira Smith, Jr., Lewis Heslip and A. Angel Ross spoke in opposition to the rezoning and special use permit. Ira Smith, Jr., Pastor at Mt. Zion Church, presented a petition with 32 signatures in opposition of the request.

At their February 13, 2002 meeting, the Planning Commission discussed the Brush Mountain Estates request for rezoning and special use permit and found the requests incompatible with the Comprehensive Plan and unanimously recommended denial to the Board of Supervisors. Both the Planning Commission and the Board of Supervisors received numerous e-mails from citizens asking that this request be denied.

There being no further speakers the public hearing was closed.

Request for Comprehensive Plan Amendment

-Montgomery County Planning Commission requests a comprehensive plan amendment to change

the land use designation on Tax Parcel Nos. 80-A-44, 46 (Acct ID #'s 018441, 018427) from Agriculture/Rural to Urban Expansion.

Randall Hancock (Draper Aden Associates), agent for the applicant, spoke on behalf of the request.

There being no further speakers the public hearing was closed.

Rezoning Request and Special Use Permit Request

-AHM, LLC (Agent: Draper Aden Associates) request to rezone 23.28 acres from Agriculture (A-1) to Industrial (M-1) with possible proffered conditions, for wholesale business and storage warehouses, and a Special Use Permit for a VDOT Maintenance Facility on 10 acres of the 23.28 acre tract. Property is located on the east side of Houchins Road (SR 758) approximately 0.35 mile north of the US Route 11/460 intersection and is identified as Tax Parcel Nos. 80-A-44,46 (Acct ID #'s 018441, 018427). The property currently lies in an area designated as Agriculture/Rural in the Comprehensive Plan.

At their meeting on February 20, 2002 the Planning Commission recommended approval of the above listed Comprehensive Plan Amendment, and found the AHM, LLC rezoning and special use permit request to be compatible with the Comprehensive Plan, as amended, and recommended approval to the Board of Supervisors with conditions.

Prior to the public hearing, the applicant offered the following proffered conditions:

1. An additional ten (10) feet of right of way along Houchins Road shall be dedicated by subdivision plat for road widening and other necessary improvements along the entire property line to the end of state maintenance.
2. Houchins Road (Route 758) will be upgraded to meet VDOT and/or Town of Christiansburg standards from Brammer lane to the second proposed entrance that will serve parcel B on the conceptual plan dated 12/31/01.
3. A minimum seventy (70) foot undisturbed vegetative buffer, except for necessary clearing and grading for drainage and utilities, shall be maintained along the northern boundary and along the eastern property line as shown on the conceptual plan dated 12-31-01.
4. Public 'water and sewer service shall be extended to the second proposed entrance that will serve Parcel B as shown on the conceptual plan dated 12-31-01.
5. AMH LLC will proffer to limit the use of Parcel B to wholesale businesses, warehouse storage or light manufacturing.
6. The following conditions shall be proffered in support of the special use permit for Parcel A:
 - a. The Special Use Permit shall be for a Virginia Department of Transportation Maintenance Facility only and shall be constructed in substantial conformance with the conceptual plan dated 12/31/01.

- b. All chemicals on site shall be stored and handled according to all state and federal regulations.
- c. The property shall be served by public water and sewer .
- d. Houchins Road shall be improved to VDOT secondary road standards from Brammer Lane to the entrance to Parcel A as shown in conceptual plan.

There being no speakers the public hearing was closed.

Request to Withdraw from Agricultural and Forestal District-5 (Riner)

-Steven Michael Alley requests to withdraw approximately 100.8 acres (Tax Parcel No. 127-A-32, Account ID #023509) from Agricultural and Forestal District-5 (Riner).

Steve Alley spoke on behalf of his request. Mr. Alley said he wants to withdraw from the AFD early because of the proposed pipeline that will come through the area.

Charlie Bowles said he would like to see the property kept in the AFD because it may help to keep the proposed pipeline from coming through.

The Planning Director briefly reviewed the requirements for a landowner to withdraw from an Agricultural and Forestal District.

There being no further speakers the public hearing was closed.

Conveyance of Right-of-Way to Donald L. Wood

-Proposed conveyance of right-of-way to Donald L. Wood on Whispering Pine Circle in Montgomery County. The property is located at 2153 Whispering Pine Circle “Rolling Hills” in the Riner Magisterial District.

Donald L. Wood spoke on behalf of his request. Mr. Wood explained he is the only property owner that uses this right-of-way.

Peggy Allen, an adjacent property owner, spoke in opposition to Mr. Wood’s request. She believes it will create more traffic and more noise since the owner is in the process of selling this property.

Ronnie Sheppard said he wants to buy the 13 acres of land and put in a doublewide. He plans to give his daughter and granddaughter a portion of the land.

There being no further speakers the public hearing was closed.

Radford Area 2020 Transportation Plan

-The Virginia Department of Transportation has developed the 2020 Area Transportation Plan jointly with staff from Montgomery County, Pulaski County and the City of Radford with recommendations of future transportation needs in the Radford area, including Fairlawn.

The Planning Director explained that the Radford Area, including Fairlawn 2020 Transportation Plan was developed as a joint effort between the Virginia Department of Transportation (VDOT), the City of Radford, Pulaski County and Montgomery County. The purpose of this study was to evaluate the existing transportation system and future demand in the Study Area and to recommend a set of transportation improvements that could best meet existing and future transportation infrastructure needs. The Study Area for this plan includes the City of Radford, the Fairlawn community area in Pulaski County, and a portion of Montgomery County. VDOT will use this plan when evaluating requests from the local governments for specific transportation projects and/or implementing projects that VDOT initiates. The list of recommendations will also be used in the statewide transportation planning process so that the magnitude of transportation needs statewide can be more accurately quantified.

There being no further speakers the public hearing was closed.

PUBLIC ADDRESS SESSION

Omar Ross-Round Meadow Mr. Ross said he was speaking as a former member of the Montgomery County Parks and Recreation Commission. Mr. Ross said there is only one public golf course in the County and he sees a need to expand this type of recreational facilities.

W. P. Turpin-Noise at Corning Mr. Turpin said he has received information last week from the Economic Development Director outlining Corning's efforts during the past year to pinpoint and resolve the noise problem. Mr. Turpin believes Corning's conclusion is that there is no problem.

ADDENDUM

On a motion by C. P. Shorter, seconded by James D. Politis and carried unanimously, the Addendum dated February 25, 2002 was added to the Agenda as follows:

CLOSED MEETING

- Section 2.2-3711 (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where no Previous Announcement has Been Made of the Business or Industry's Interest in Locating or Expanding its Facilities in the Community
1. Prospective Business
- (3) Discussion or Consideration of the Acquisition of Real Property for a Public Purpose, or of the Disposition of Publicly Held Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body
1. Acquisition of Property for Recreational Purposes

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
C. P. Shorter		
James D. Politis		
Gary D. Creed		
Larry N. Rush		
Mary W. Biggs		

CONSENT AGENDA

On a motion by C. P. Shorter, seconded by James D. Politis and carried unanimously, the Consent Agenda dated February 25, 2002 was approved. The vote was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
C. P. Shorter		
James D. Politis		
Gary D. Creed		
Larry N. Rush		
Mary W. Biggs		

Approval of Minutes of January 14 and January 28, 2002

On a motion by C. P. Shorter, seconded by James D. Politis and carried unanimously, the Minutes of January 14 and January 28, 2002 were approved.

Appropriations Clerk of Circuit Court

On a motion by C. P. Shorter, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2002 for the function and in the amount as follows:

250	Clerk of Circuit Court	\$145,435
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The sources of the funds for the foregoing appropriation is as follows:

Revenue Account

423100	Technology Trust Fund	\$145,435
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Said resolution appropriates monies approved by the State Compensation Board from the Clerk's Technology Trust Fund for the purchase of a document imaging system.

Revenue Refunds-Supplemental Appropriation

On a motion by C. P. Shorter, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2002, for the function and in the amount as follows:

900	Revenue Refunds	\$195,000
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451203	Undesignated Fund Balance	\$195,000
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Said resolution appropriates additional funds for the payment of revenue refunds.

Amendment to Personnel Policies Regarding Emergency Closings

On a motion by C. P. Shorter, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby amends the Personnel Policies adopted on July 23, 2001 as follows:

The following amends Section 8.11.F.1 for the future:

F. Closing of County Facilities

Operational Necessity

~~1. Should the County Administrator authorize the closing of one or more County facilities, non-emergency employees shall be treated as having worked a full regular workday, regardless of hours not worked. If hours are worked by an employee on an officially closed day, the employee shall be paid for the hours worked, in addition to the hours that the County was closed for business.~~ *If a facility must be closed due to emergency or operational necessity, the Department Director or Constitutional Officer in charge of that and/or any other affected facility may require any or all employees to work despite the closing.*

Inclement Weather

2.——Should conditions warrant the early closing, ~~or~~ late opening *or, on rare occasions, a whole-day closing* of County facilities, the effect on employees who report to work shall be the same *as above*; that is, ~~those eligible~~ County employees shall be treated as having worked a full regular workday, regardless of the hours missed. Employees who do not report to work *at all* shall be charged leave, as appropriate, for the number of hours County facilities were open for business.

This change should be placed in each employee's copy of the Personnel Policies and will be incorporated into the next formal revision of such policies.

OLD BUSINESS

Transfer of Airport Lands to the New River Valley Airport Commission

On a motion by Larry N. Rush, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby agrees to convey the County of Montgomery's interest in the 385 acres which compose the lands of the New River Valley Airport to the New River Valley Airport.

BE IT FURTHER RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby authorizes Mary W. Biggs, Chairperson of the Board of Supervisors, to execute all documents necessary to convey the County's interest in the 385 acres to the New River Valley Airport Commission.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
Gary D. Creed		
James D. Politis		
C. P. Shorter		
Larry N. Rush		
Mary W. Biggs		

ADD TO NEW BUSINESS-BRUSH MOUNTAIN ESTATES REQUEST FOR REZONING AND SPECIAL USE PERMIT

On a motion by Annette S. Perkins, seconded by Larry N. Rush and carried unanimously, the above referenced matter was added to New Business for consideration by the Board. The vote was as follows:

AYE

Annette S. Perkins
Gary D. Creed
James D. Politis
C. P. Shorter
Larry N. Rush
Mary W. Biggs

NAY

None

ABSENT

John A. Muffo

NEW BUSINESS

Brush Mountain Estates Request for Rezoning and Special Use Permit

On a motion by Annette S. Perkins, seconded by Larry N. Rush and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that Brush Mountain Estates, LLC (Agent: Draper Aden Associates) request to rezone 9.58 acres from Agriculture (A-1) to Community Business (CB) with possible proffered conditions, and a Special Use Permit to allow mini storage warehouses, located on the north side of Pandapas Pond Road (US Route 460) west of the Brush Mountain Road (SR 778) intersection identified as Tax Parcel No. 15-8-1 (Acct ID #036238) in the Mount Tabor Magisterial District is **hereby denied**.

The vote on the foregoing motion was as follows:

AYE

Annette S. Perkins
Gary D. Creed
James D. Politis
C. P. Shorter
Larry N. Rush
Mary W. Biggs

NAY

None

ABSENT

John A. Muffo

Motion was for denial.

Amend Budget Calendar

On a motion by Annette S. Perkins, seconded by C. P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Budget Calendar for 2002-2003 adopted on October 9, 2001 is hereby amended as follows:

COUNTY OF MONTGOMERY
BUDGET CALENDAR FOR 2002-2003

The Budget Calendar is a schedule for the development of the County budget. It is very important that everyone adhere to the Budget Calendar and fulfill his/her responsibility in the budgeting process.

DATE

October 31, 2001

Distribute budget recommendations to County Divisions and Offices.

FUNCTION

Budget working documents delivered to divisions and agencies along with special instructions and guidelines, including initial budget session with division heads to set over-all direction for County to identify major needs, gaps in services, and to provide larger program context for changes in County budget.

November 13-16, 2001

RESPONSIBILITY

County Administration and Financial & Management Services

December 10-14, 2001

Budget Training Worksessions for Divisions and Agencies.

December 21, 2001

Divisions key budget requests into computer system

Financial & Management Services

January 2002

All Budget Requests for all divisions, agencies and organizations (except for Schools) returned to Co. Administrator.

Financial & Management Services

January 14, 2002

Administrative review of budget requests.

Directors, Division and Agency Heads

January 16, 2002

Public hearing for citizen input

January 21 - March 4, 2002

Joint Review of Human Service Agencies by County and surrounding localities

County Administrator

Board of Supervisors

February 8, 2002

Budget study sessions by the Board.

County Administrator

February 11-15, 2002

School Budget delivered to County Administrator.

Board of Supervisors	Budget document delivered to Board of Supervisors and placed in Libraries.	County Administrator
School Board		
County Administrator	Establish proposed tax rate and prepare budget synopsis notices of public hearing in paper.	Board of Supervisors
	Publishment date for public hearings on proposed tax rate and budget synopsis.	County Administrator
March 8, 2002	Public Hearing on proposed tax rate and budget.	Board of Supervisors
March 15, 2002	Adopt budget (including Schools) and establish tax rate.	Board of Supervisors
	Make final budget appropriation.	Board of Supervisors
March 27, 2002	Divisions and Agencies notified of final appropriation.	County Administrator
April 3, 2002		
April 4 - April 19, 2002		
By June 30, 2002		
After July 1, 2002		

1. PUBLIC HEARING: A public hearing on the budget is required. If a tax rate increase is needed, notice must be published at least 7 days before the public hearing and at least 14 days before final action.
2. TAX RATE AND BUDGET: The tax rate and budget must be established at the same time. This must be done early to process the first installment of real estate taxes.
3. CAPITAL BUDGET: The Capital Budget should be available to be considered along with Operating Budget if desired.
4. LEGAL NOTICES AND PUBLIC HEARINGS: Legal notices and public hearings on the School Budget may be considered separately from the Non-School Budget. The School Budget must be approved by May 1, 2002 or within 30 days after receipt of State revenue estimates, whichever is later.

5. The planned schedule for processing first installment of Real Estate Taxes due June 5, 2002 is as follows:

<u>DATE</u>	<u>FUNCTION</u>
April 19, 2002	Board of Supervisors adopts FY 2002-2003 Budget.
April 22, 2002	Commissioner of Revenue begins processing the land book.
May 22, 2002	By law, Treasurer must mail tax tickets to taxpayers.
June 5, 2002	First installment of Real Estate Taxes is due.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
Gary D. Creed		
James D. Politis		
C. P. Shorter		
Larry N. Rush		
Mary W. Biggs		

Southwoods Subdivision Phase 2 Final Plat

On a motion by Larry N. Rush, seconded by C. P. Shorter and carried unanimously,

WHEREAS, Southwoods Subdivision Phase 2 consists of 5 lots located off Oilwell Road (SR 824) and has been found to meet the requirements of the Montgomery County Code Chapter 8, Article IV (Subdivision Ordinance);

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Final Plat of Southwoods Subdivision Phase 2 (Altizer, Hodges, & Varney, Inc. Project No. 1999010 dated 24 Oct 2000 and revised 4 Dec 2000), subject to the Public Service Authority (PSA) providing a letter verifying public water availability to the subdivision.

FURTHER, The Chairman is hereby authorized to sign said plat for recordation.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
Gary D. Creed		
James D. Politis		
C. P. Shorter		
Larry N. Rush		

Resolution Endorsing the New River Valley Regional Competitiveness Program Re-Certification

On a motion by Annette S. Perkins, seconded by Gary D. Creed and carried unanimously,

WHEREAS, The Regional Competitiveness Act was passed by the 1996 General Assembly; and

WHEREAS, The purpose of the Act is to both reward existing regional behavior and stimulate new behavior-planning and acting regionally, and to provide incentives for certain joint undertakings by local governments; and

WHEREAS, The General Assembly has provided incentive funds which are available for localities which choose to maintain a Regional Competitiveness Program directed at new levels of regional cooperation; and

WHEREAS, The Act calls for government, business, education and civic leaders to join in the partnership for improving economic competitiveness of regions; and

WHEREAS, The Act requires local governments to designate a regional configuration (any regional configuration other than a Planning District Commission requires prior approval from DHCD); the formation of the Regional Partnership recognized the preparation of a Regional Strategic Economic Development Plan; and the formulation of a Plan of Action for a five year period; and agree on a distribution formula for any funds which may be received; and

WHEREAS, Regional cooperation and development is a goal of the local governments in the New River Valley.

NOW, THEREFORE, BE IT RESOLVED, That Montgomery County does hereby endorse the regional configuration of local governments which includes all of the New River Valley Planning District; and

BE IT FURTHER RESOLVED, That Montgomery County endorses the utilization of *Vision 2020* and its updates as the basic Regional Strategic Plan and the development by the Partnership of a five year action plan to implement portions of the strategy; and

BE IT FURTHER RESOLVED, That Montgomery County endorses the utilization of 100 percent of the funds which may be distributed as a result of the Act to support the partnership and further the implementation of the five year action plan as determined by the Partnership Board; and

BE IT FURTHER RESOLVED, That Montgomery County endorses the New River Valley Planning District Commission as the organization to form the New River Valley Regional Competitiveness Partnership, to serve as the fiscal agent, and to provide the staffing for the Partnership Board as it seeks to increase economic competitiveness through regional efforts. The Partnership formed by New River Valley Planning District Board of Commissioners will be a Committee of the Commission and consist of the Planning District Commission Board of Commissioners, the Executive Committee of the New River Valley Economic Development Alliance, and other representatives as required by the Act or as are desired by the Partnership.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
Gary D. Creed		
James D. Politis		
C. P. Shorter		
Larry N. Rush		
Mary W. Biggs		

Resolution of Support “National Education Association (NEA) Read Across America”

On a motion by Annette S. Perkins, seconded by C. P. Shorter and carried unanimously,

WHEREAS, The citizens of Montgomery County, Virginia stand firmly committed to promoting reading as the catalyst for our students’ future academic success, their preparation for America’s jobs of the future, and their ability to compete in a global economy; and

WHEREAS, The Montgomery County School Board has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community’s well being and long-term quality of life; and

WHEREAS, “NEA Read Across America”, a national celebration of Dr. Seuss’s birthday on March 2nd, promotes reading and adult involvement in the education of our community’s students.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia calls on its citizens to assure that every child is in a safe place reading together with a caring adult on March 1, 2002.

BE IT FURTHER RESOLVED, This body enthusiastically endorses “NEA’s Read Across America” and re-commits our community to engage in programs and activities to make America’s children the best readers in the world.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo

Gary D. Creed
James D. Politis
C. P. Shorter
Larry N. Rush
Mary W. Biggs

COUNTY ADMINISTRATOR'S REPORT

Cash Flow Chart A flow chart was provided to Board members to clearly show the County's cash position. The chart shows fund balance as of June 30, 2001, accrual versus cash. The Chair asked that copies of the cash flow chart be provided to the League of Women Voters.

Compensation - Performance Management The Human Resources Director provided an update on the County's Compensation/Performance Management plan. An update was also provided on the County's health insurance, with a good experience year reported with approximately 65% paid claims. The New River Valley Consortium is not seeking proposals; they are strengthening their withdrawal guidelines. The County is seeking proposals for network/coverage exploration. Supervisor Shorter asked that Board members be provided a graph depicting the highs and lows on performance evaluations.

BOARD MEMBERS' REPORTS

Supervisor Creed-Elliston Fire Department Grant A member of the Elliston Fire Department approached Supervisor Creed about applying for a grant to obtain three AED/Manual defibrillators. There is an 80/20 grant available, with the Fire Department paying the 20%. They are requesting a letter of support from the Board of Supervisors. It was the consensus of the Board that a letter of support for the grant be written, which is a requirement for them to receive the grant.

County Decals An attendant at one of the consolidated collection sites told Supervisor Creed that during the course of one week, he counted 22 vehicles with no county decals. Supervisor Creed suggested that the Sheriff be requested to provide a deputy at the collection site.

Craig Mountain Road/Bow Hill Road Supervisor Creed received an e-mail from a citizen asking for assistance in getting VDOT to make improvements on this road.

Supervisor Perkins-Virginia Tech/Montgomery Regional Airport Authority The Authority will re-advertise for the position of Director.

County/Town Liaison Meeting It was decided that a joint dinner with the Town will be scheduled after the Town's May 5th elections. Other discussions included tax incentives for historic districts; and the budget.

Supervisor Politis-Agricultural and Forestal District Advisory Board Supervisor Politis attend his first meeting of the AFD Advisory Board. There was discussion concerning increasing by-right uses in agricultural and forestal districts.

Supervisor Shorter-TDML meeting-Mill Creek At the TDML meeting in Riner concerning Mill Creek there was discussion about developing inventory numbers for livestock, human chloroform in the creek, with an explanation for the formula used. An additional meeting is planned to set up a model plan.

New River Round Table At the last New River Round Table meeting, an executive committee was appointed to address water quality.

Supervisor Rush-Access to Mid-County Park In response to a letter from the County Administrator inquiring about the status of the access road into Mid-County Park, the Department of Transportation (VDoT) responded that the contractor was advised that access from Peppers Ferry Road near Lowe's was essential during the late spring. Either the permanent access or a temporary detour from Peppers Ferry Road is to be in place and operational by mid May.

Supervisor Biggs-Board Retreat Supervisor Biggs reminded Board members the Board Retreat was scheduled for Friday, March 1, 2002 at 6:30 p.m. at the Farmhouse Restaurant, and Saturday, March 2, 2002 from 9:00 a.m. to 2:00 p.m. at the County Government Center.

League of Women Voters Supervisor Biggs complimented the Board members who attended the League of Women Voters breakfast on the good job they did in representing the County, and expressed her appreciation to staff for working on the questions before the meeting.

W. P. Turpin-Noise at Corning Supervisor Biggs thanked staff for the prompt attention paid to Mr. Turpin's complaints about the noise coming from Corning. She asked that Mr. Turpin be requested to supply specific times and dates when the noise is most bothersome and provide this information to Corning.

Supervisor Politis-Panthers in the Riner Area Supervisor Politis reported a complaint he received from a citizen who spotted two panthers in the area. Supervisor Politis asked for suggestions on what could be done about a problem such as this.

INTO CLOSED MEETING

On a motion by Annette S. Perkins, seconded by C. P. Shorter and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- | | | |
|------------------|-----|--|
| Section 2.1-3711 | (7) | Consultation With Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body |
| | 1. | Blacksburg Shell Building |

- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Public Officers, Appointees or Employees
 1. Evaluation of Personnel
- (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where no Previous Announcement has Been Made of the Business or Industry's Interest in Locating or Expanding its Facilities in the Community
 1. Prospective Business
- (3) Discussion or Consideration of the Acquisition of Real Property for a Public Purpose, or of the Disposition of Publicly Held Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body
 1. Acquisition of Property for Recreational Purposes

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
Gary D. Creed		
James D. Politis		
C. P. Shorter		
Larry N. Rush		
Mary W. Biggs		

OUT OF CLOSED MEETING

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
Gary D. Creed		
James D. Politis		

C. P. Shorter
Larry N. Rush
Mary W. Biggs

CERTIFICATION OF CLOSED MEETING

On a motion by C. P. Shorter, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Annette S. Perkins
James D. Politis
C. P. Shorter
Larry N. Rush
Gary D. Creed
Mary W. Biggs

NAYS

None

ABSENT DURING VOTE

John A. Muffo

ABSENT DURING MEETING

John A. Muffo

MOTION TO EXTEND MEETING

On a motion by Gary D. Creed, seconded by Annette S. Perkins and carried unanimously, the meeting was extended for

an additional five minutes.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
Gary D. Creed		
James D. Politis		
C. P. Shorter		
Larry N. Rush		
Mary W. Biggs		

ADJOURNMENT

On a motion by C. P. Shorter, seconded by James D. Politis and carried unanimously, the Board adjourned to March 1, 2002 at 6:30 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
Gary D. Creed		
James D. Politis		
C. P. Shorter		
Larry N. Rush		
Mary W. Biggs		

The meeting adjourned at 11:35 p.m.